

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF RHODE ISLAND**

LOUIS A. GENCARELLI, SR.,

Appellant,

v.

C.A. No. 05-257T


UPS CAPITAL BUSINESS CREDIT,

Appellee.

ORDER GRANTING APPELLEE'S MOTION TO DISMISS

UPS Capital Business Credit's (UPS) Motion to Dismiss Gencarelli's appeal from the denial of his Motion to Reconsider is hereby granted on the ground that the Bankruptcy Court has supportably found excusable neglect for the fact that UPS was one day late in filing its notice of appeal from the disallowance of its claim for prepayment premiums.

IT IS SO ORDERED,

  
Ernest C. Torres, Chief Judge  
Date: July 19, 2005